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Attorneys for Defendant  
**ALASKA AIRLINES**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TROY KEARNS, an individual,

| CASE NO: 2:19-cv-00541-APG-PAL

Plaintiff,

**JOINT STIPULATION/MOTION AND  
ORDER TO REMAND THE CASE TO  
STATE COURT**

ALASKA AIRLINES, an Alaska corporation and  
DOES I through X.

## ORDER

### Defendants.

The parties, Defendant, ALASKA AIRLINES, by and through its counsel of record, Wilson, Elser, Moskowitz, Edelman and Dicker, LLP, by Mark C. Severino, Esq. and Plaintiff, TROY KEARNS, by and through his counsel of record, Hutchison & Steffen, PLLC, by Joseph R. Ganley, Esq. and Piers R. Tueller, Esq. hereby move the court and submit the following STIPULATION/Joint MOTION FOR REMAND:

1. The parties agree that the amount in controversy does not exceed \$75,000;
  2. The plaintiff agrees that he shall not seek, nor shall he recover, damages in excess of \$75,000 (in other words, plaintiff's potential damages shall be capped at \$75,000);
  3. The case should be remanded to state court for lack of jurisdiction;
  4. Neither party shall seek fees, costs, or other expenses associated with this motion for remand.

1 Accordingly, the instant joint motion and order to remand the case to state court is hereby  
2 submitted.

3 DATED this 23<sup>rd</sup> day of April, 2019.

4 **HUTCHISON & STEFFEN, PLLC**

5  
6 /s/ JOSEPH R. GANLEY

7 Joseph R. Ganley, Esq.  
8 Nevada Bar No. 5643  
9 Piers R. Tueller, Esq.  
Nevada Bar No.14633  
10 10080 West Alta Drive, Suite 200  
Las Vegas, NV 89145  
11 *Attorneys for Plaintiff*

DATED this 23<sup>rd</sup> day of April, 2019.

5 **WILSON, ELSE, MOSKOWITZ,  
EDELMAN & DICKER LLP**

6  
7 /s/ MARK C. SEVERINO

8 Mark C. Severino  
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300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor  
Las Vegas, NV 89101  
9  
10 *Attorneys for Defendant*

11  
12 IT IS SO ORDERED.

13  
14   
15 UNITED STATES DISTRICT JUDGE  
16 Dated: April 30, 2019.